


IN THE SUPREME COURT OF THE STATE OF NEVADA

ALLEN S. HEUSNER,
Petitioner,
vs.
GOVERNOR JOSEPH LOMBARDO,
Respondent,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 88910

FILED
JUL 29 2024
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING MANDAMUS PETITION

This is an original pro se petition for a writ of mandamus asking this court to compel the district court to conduct an evidentiary hearing on petitioner's claim that Senate Bill 182 (1951) was unconstitutional and therefore the Nevada Revised Statutes are invalid.

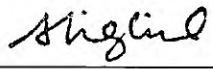
In the underlying case, petitioner was convicted in 2008 after a four-day jury trial of burglary while in the possession of a deadly weapon, murder with the use of a deadly weapon, and first-degree arson, and sentenced to serve concurrent and consecutive prison terms totaling 42 years to life in the aggregate. Petitioner claims that because the Nevada Revised Statutes are invalid, the district court lacked subject matter jurisdiction over his criminal case. The court of appeals considered and rejected the same argument raised by petitioner in a previous appeal. *Heusner v. State*, No. 78800-COA, 2020 WL 1231225, (Nev. Ct. App. Mar. 12, 2020) (Order of Affirmance).

Having considered the petition and documents submitted by petitioner, we are not convinced that our extraordinary and discretionary intervention is warranted at this time. *Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (observing that the party seeking

writ relief bears the burden of showing that such relief is warranted); *Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (recognizing that writ relief is an extraordinary remedy and that this court has sole discretion in determining whether to entertain a writ petition). As petitioner has failed to demonstrate that our intervention by extraordinary writ is warranted, we decline to exercise our original jurisdiction in this matter. *See* NRAP 21(b). Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Cadish


_____, J.
Stiglich


_____, J.
Herndon

cc: Allen S. Heusner
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk